



DEPARTMENT OF THE ARMY
OFFICE OF THE GENERAL COUNSEL
104 ARMY PENTAGON
WASHINGTON DC 20310-0104

August 15, 2019

Ms. Emma Best
MuckRock News
Department MR 56721
Somerville, MA 02144-2516

Dear Ms. Best:

This letter responds to a Freedom of Information Act (FOIA) appeal, dated February 14, 2019. We apologize for the delay in responding to your appeal.

You submitted a FOIA request to the Department of the Army, U.S. Army Intelligence and Security Command (INSCOM) Freedom of Information Act (FOIA) Office dated June 24, 2019, requesting, "copies of all drafted, submitted or received SF-716 forms produced from January 1, 2001 through December 31, 2017."

On January 23, 2019, INSCOM provided you a written response indicating that a search of INSCOM's Office utilizing the information you provided revealed no files pertaining to records relating to your request. You appealed the no record response on February 14, 2019 questioning the "integrity of the search."

We conclude that INSCOM's efforts to locate responsive documents were reasonable and therefore, deny your appeal. Records of INSCOM comprise of investigative reports, and are indexed by personal identifiers such as names, social security numbers, dates, places of birth, and other pertinent data to enable the positive identification of individuals. Paper files, electronic files, and available databases were searched using the search terms you provided and no records were located.

The FOIA requires an agency to make a good faith effort to conduct a search for the requested records, using methods that reasonably could be expected to produce the information requested. See *Oglesby v. United States Dept of the Army*, 920 F.2d 57, 68 (D.C. Cir. 1990).

We conclude that INSCOM's search complied with the above-mentioned requirement.

This letter constitutes final action on behalf of the General Counsel, designated by the Secretary of the Army to consider appeals under the FOIA. You may, if you so desire, seek judicial review of this determination in the federal court system in accordance with the FOIA, 5 U.S.C. § 552(a)(4)(B).

Sincerely,

A handwritten signature in black ink, appearing to read "Nicholas M. Satriano", with a large, stylized flourish at the end.

Nicholas M. Satriano
Assistant to the General Counsel